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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,294	12/08/2000	Alanen Kimmo	367.39383X00	2671

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EXAMINER

VU, KIEU D

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/732,294

Applicant(s)

KIMMO ET AL.

Examiner

Kieu D Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 and 16-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The Abstract is objected since it contains 2 paragraphs.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Drawings***

3. The drawings are objected since they fail to show necessary textual labels of features in Figure 1, Figure 4, Figure 5, feature 235 in Fig. 2, features 125a-e in Figure 3, as described in the specification. Textual labels would give the viewer necessary details to fully understand the figures at a glance. A descriptive textual label for each number element in these figures would be needed to fully and understand these figures without substantial analysis of the detailed specification. See 37 CFR 1.84 (o) below:

(o) Legends . Suitable descriptive legends may be used subject to approval by the Office, or may be required by the examiner where necessary for understanding of the drawing. They should contain as few words as possible.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-5, 7, 9-14, 16-17, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Edwards et al ("Edwards", Pub. No. US 2002/0032699)

Regarding claim 1, Edwards teaches a portable telecommunication apparatus for requesting the download of pages of information from a remote source comprising means for receiving the pages of information including encoded information identifying links to other pages ([0017] and [0018]); a display for displaying the received pages (screen displaying WWW pages and information) ([0054])

a fixed location input key (telephone keypad buttons in [0018]); and

a processor for consistently associating the fixed location input key with the encoded information identifying a linked page during a display period such that actuation of the fixed location input key during the display period requests the respective linked page for download from the remote source ([0024]).

Regarding claim 2, Edwards teaches comprising respective fixed location input keys and wherein the processor associates each fixed location Input key with the encoded information identifying a linked page ([0024]).

Regarding claim 3, Edwards teaches the display period is the duration of the display of the received page ([0054]).

Regarding claim 4, Edwards teaches the fixed location input key is a dedicated key (four colored buttons 330) ([0074]).

Regarding claim 5, Edwards teaches the dedicated key is one of a group of alphanumeric keys provided for dialing ([0074]).

Regarding claim 7, Edwards teaches a caption indicative of the linked page is provided in close proximity to the fixed location input key (in a mobile phone, screen display is in close proximity to buttons, therefore, labels 220 are provided in close proximity to buttons) ([0018], fig. 2).

Regarding claim 9, Edwards teaches the remote source is a computer capable of connection to the World Wide Web (WWW) (Fig. 1 and Fig. 4)

Regarding claim 10, Edwards teaches the apparatus comprises a markup language decoder (Fig. 6) ([0037]).

Regarding claim 11, Edwards teaches the association between the fixed location input key and the link is achieved by means of a particular tag in the page of information ([0115] and [0125]).

Regarding claim 12, Edwards teaches the apparatus is mountable in a vehicle ([0029]).

Regarding claim 13, Edwards teaches the apparatus is a portable wireless telecommunication apparatus ([0018]).

Regarding claim 14, Edwards teaches a method of requesting the download of respective pages of received Information from a remote source in a portable apparatus, comprising receiving pages of information including encoded information identifying links to other pages ([0017] and [0018]);

identifying linked pages from the encoded information, the encoded information including a functional element for consistently associating operation of an identified input device with a request for download of the linked page from the remote source ([0024]), and a visual element for labeling the operation (label, Fig. 2, [0061]); separating the labeling and functional elements of the encoded information; displaying the labeling Information at a predefined position (see Footer 210 and labels 220); and defining the function of the identified input device using they functional element of the encoded information such that on operation of the identified input device the linked pages are requested for download ([0024]).

Regarding claim 16, Edwards teaches the portable apparatus comprises fixed location Input keys and each location input key is associated with the encoded information identifying a linked page ([0024]).

Regarding claim 17, Edwards teaches the labeling information comprises a caption indicative of the linked page and the caption is provided in proximity to an associated fixed location input key (Fig. 2, [0061], [0018])

Regarding claim 19, Edwards teaches the remote source is a computer capable of connection to the World Wide Web (WWW) (Fig. 1 and Fig. 4).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6, 8, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al ("Edwards", Pub. No. US 2002/0032699) and Grant (USP 5854624)

Regarding claim 6, Edwards does not teach the input key is a touch-sensitive area of the display. However, such feature is known in the art as taught by Grant. Grant teaches a pocked-sized user interface for Internet browser terminals (col 1, lines 7-12). Grant further teaches that input key is a touch-sensitive area (col 4, lines 33-35). It would have been obvious to one of ordinary skill in the art, having the teaching of and Edwards and Grant before him at the time the invention was made, to modify the interface for network browser taught by Edwards to include the teaching that the input key is a touch-sensitive area taught by Grant with the motivation being to construct input key in another from (Grant, col 1, lines 33-35).

Regarding claim 8, Edwards does not teach that the caption is provided immediately above the fixed locution input key. However, such feature is known in the art as taught by Grant. Grant teaches a pocked-sized user interface for Internet browser terminals (col 1, lines 7-12). Grant further teaches that text describing functionality of

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each key is provided immediately above the input key (see Fig. 5). It would have been obvious to one of ordinary skill in the art, having the teaching of and Edwards and Grant before him at the time the invention was made, to modify the interface for network browser taught by Edwards to include providing text describing functionality of each key immediately above the input key area taught by Grant so that the user can quickly and correctly choose which input key to select in order to view the desired page.

Regarding claim 18, Edwards does not teach that the caption is provided above the associated fixed location input key. However, such feature is known in the art as taught by Grant. Grant teaches a pocked-sized user interface for Internet browser terminals (col 1, lines 7-12). Grant further teaches that text describing functionality of each key is provided above the associated input key (see Fig. 5). It would have been obvious to one of ordinary skill in the art, having the teaching of and Edwards and Grant before him at the time the invention was made, to modify the interface for network browser taught by Edwards to include providing text describing functionality of each key above the associated input key area taught by Grant so that the user can quickly and correctly choose which input key to select in order to view the desired page.

8. Applicant's arguments with respect to claims 1 and 14 have been considered but are moot in view of the new ground(s) of rejection.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.



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The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

703-872-9306

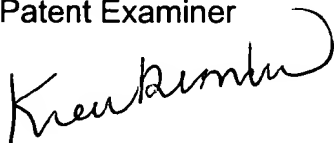
and / or:

571-273-4057 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kieu D. Vu

Patent Examiner

A handwritten signature in black ink, appearing to read 'Kieu D. Vu', is written over the printed name and title.